



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,791	08/06/2003	Edward C. DeMeter	30212-101	2724
26486	7590	10/13/2005	EXAMINER	
PERKINS, SMITH & COHEN LLP ONE BEACON STREET 30TH FLOOR BOSTON, MA 02108			HARAN, JOHN T	
			ART UNIT	PAPER NUMBER
			1733	

DATE MAILED: 10/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/635,791

Applicant(s)

DEMETER, EDWARD C.

Examiner

John T. Haran

Art Unit

1733

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) 1-7 and 25-30 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-10 and 20-23 is/are rejected.
- 7) ☒ Claim(s) 11-19, 24 and 31 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/6/03, 7/23/04.

- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date 10/6/05
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Group II, claims 8-24 and 31 in the reply filed on 9/12/05 is acknowledged. The traversal is on the ground(s) that an overlapping search is required for Group. This is not found persuasive because as noted in the restriction requirement each group has different classification and divergent subject matter.

The requirement is still deemed proper and is therefore made FINAL.

Information Disclosure Statement

2. The information disclosure statements (IDS) submitted on 8/6/03 and 7/23/04 have been considered by the examiner.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 8-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamada (U.S. Patent 5,981,361).

Yamada discloses an adhesive work holding system for securing a workpiece comprising a radiation transmitting fixing surface (31) and a radiant energy delivery system (13) (Column 8, lines 1-18). Yamada anticipates claims 8 and 9.

Art Unit: 1733

5. Claims 8-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Inoue et al (U.S. Patent 5,423,931).

Inoue et al discloses an adhesive work holding system for securing a workpiece comprising a radiation transmitting fixing surface (4) and a radiant energy delivery system (46) (See Figure 1, Column 13, lines 23-28). Inoue et al anticipates claims 8 and 9.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada (U.S. Patent 5,981,361) or Inoue et al (U.S. Patent 5,423,931).

Yamada and Inoue et al are relied upon for the teachings noted above for claims 8 and 9. Both are silent towards the radiant energy delivery system being capable of emitting electron beam radiant energy and the fixing surface being capable of transmitting electron beam radiant energy, however electron beam energy is well known and conventional as an alternative to ultraviolet radiation and infrared radiation for curing or melting an adhesive. One skilled in the art would have readily appreciated using an alternative radiant energy source and choosing a surface, which would transmit such alternative radiant energy in the systems of Yamada and Inoue et al. It would have been obvious to one of ordinary skill in the art at the time the invention was

Art Unit: 1733

made to include a radiant energy delivery system capable of emitting electron beam radiant energy and a fixing surface capable of transmitting electron beam radiant energy in the systems of Yamada and Inoue et al.

8. Claims 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over one of Yamada (U.S. Patent 5,981,361) or Inoue et al (U.S. Patent 5,423,931) in view of the admitted prior art.

Regarding claim 20, Yamada and Inoue et al are relied upon for the teachings noted above for claims 8 and 9. Both are silent towards utilizing mechanical locators for positioning a workpiece relative to the fixture, however such is well known and conventional as shown for example in the admitted prior art (Specification, paragraph 0004). One skilled in the art would have readily appreciated including conventional positioning features in the systems of Yamada or Inoue et al. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include conventional mechanical locators for positioning in the systems of Yamada and Inoue et al.

Regarding claims 21-23, one skilled in the art would have readily appreciated having locators, which can be disengaged, removed, or retracted in order to prevent interference during manufacturing. It would have been obvious to include such in the systems of Inoue et al and Yamada, as modified above.

Allowable Subject Matter

9. Claims 11-19, 24 and 31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims 11, 12 and 31, the prior art of record fails to suggest the claimed system.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John T. Haran whose telephone number is (571) 272-1217. The examiner can normally be reached on M-Th (8 - 5) and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dunn can be reached on (571) 272-1171. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1733

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "J.T. Haran", is positioned above the printed name.

John T. Haran
Primary Examiner
Art Unit 1733